



Virginia
Regulatory
Town Hall

Proposed Regulation Agency Background Document

Agency Name:	Department of Criminal Justice Services
VAC Chapter Number:	6 VAC 20-60-20 through 20-60-90
Regulation Title:	Rules Relating to Compulsory Minimum Training Standards for Dispatchers
Action Title:	Dispatcher Rules
Date:	4/3/2000

This information is required pursuant to the Administrative Process Act (§ 9-6.14:9.1 *et seq.* of the *Code of Virginia*), Executive Order Twenty-Five (98), Executive Order Fifty-Eight (99), and the *Virginia Register Form, Style and Procedure Manual*. Please refer to these sources for more information and other materials required to be submitted in the regulatory review package.

Summary

Please provide a brief summary of the proposed new regulation, proposed amendments to an existing regulation, or the regulation proposed to be repealed. There is no need to state each provision or amendment or restate the purpose and intent of the regulation; instead give a summary of the regulatory action and alert the reader to all substantive matters or changes. If applicable, generally describe the existing regulation.

In 1998-99, the Department of Criminal Justice Services completed the first job task analysis for the position of dispatcher. The proposed amendments are to update the minimum training standards for dispatchers based on the results of the job task analysis, and to provide a method for future changes to training methodology that is more timely and less costly.

Basis

Please identify the state and/or federal source of legal authority to promulgate the regulation. The discussion of this statutory authority should: 1) describe its scope and the extent to which it is mandatory or discretionary; and 2) include a brief statement relating the content of the statutory authority to the specific regulation. In addition, where applicable, please describe the extent to which proposed changes exceed federal minimum requirements. Full citations of legal authority and, if available, web site addresses for locating the text of the cited authority must be provided. Please state that the Office of the Attorney General has certified that the agency has the statutory authority to promulgate the proposed regulation and that it comports with applicable state and/or federal law.

Pursuant to the statutory authority set forth by Section 9-170(8) of the Code of Virginia (1950) as amended, the Criminal Justice Services Board (CJSB) will amend and revise its regulations relating to entry-level dispatcher training. The primary basis for amending the regulations is to incorporate changes identified through the 1999 state-wide job task analysis and to provide a method for reviewing training objectives on an on-going basis with updates handled in a more systematic and expeditious manner.

Purpose

Please provide a statement explaining the need for the new or amended regulation. This statement must include the rationale or justification of the proposed regulatory action and detail the specific reasons it is essential to protect the health, safety or welfare of citizens. A statement of a general nature is not acceptable, particular rationales must be explicitly discussed. Please include a discussion of the goals of the proposal and the problems the proposal is intended to solve.

Current rules became effective in 1989 with some amendments in 1994. The purpose of these regulations is update and set forth training mandates and prescribe compulsory minimum training standards. These standards must be met by successful achievement of each training objective related to a task that must be performed as a requirement of the position by every newly employed dispatcher attending entry-level dispatcher training. Successful achievement of all training objectives is the standard that assures minimum competency in the performance of dispatcher duties throughout the Commonwealth. The safety and welfare of the public is paramount in setting forth these requirements while providing protection from incompetent or unqualified persons from performing dispatcher duties.

Substance

Please identify and explain the new substantive provisions, the substantive changes to existing sections, or both where appropriate. Please note that a more detailed discussion is required under the statement providing detail of the regulatory action's changes.

The substance of these regulations is in 6 VAC 20-60-20 and is three-fold. First, the standard requires satisfactory completion of the performance outcomes and training hours approved by the Criminal Justice Services Board for entry-level dispatcher training. Second, the standard requires satisfactory completion of all field (or on-the-job) training objectives. Additionally, in 6 VAC 20-60-40, dispatchers are required to meet the training standards within twelve months of employment as a dispatcher. Extensions may be given in certain circumstances. Finally, provisions are set forth in the rules that establish minimum requirements for training providers.

Issues

Please provide a statement identifying the issues associated with the proposed regulatory action. The term "issues" means: 1) the primary advantages and disadvantages to the public, such as individual private citizens or businesses, of implementing the new or amended provisions; 2) the primary advantages and disadvantages to the agency or the Commonwealth; and 3) other pertinent matters of interest to the regulated community, government officials, and the public. If there are no disadvantages to the public or the Commonwealth, please include a sentence to that effect.

The advantages these regulations provide to the public are the assurance of a minimum level of competency required by all dispatchers throughout the Commonwealth; involvement of the Committee on Training, the legislatively established body representing every aspect of the criminal justice system and criminal justice services, as the approving authority for revisions or updates to the training objectives to provide guidance for the delivery of entry-level dispatcher training; and delivery of training through a certified training academy. The Criminal Justice Services Board remains the adopting authority for revisions to the rules.

The recognition that training for minimum levels of competency needs to increase as the requirements of law, technology, and citizen involvement change does have a financial impact for the delivery of this training. This issue has been addressed with the provisions for collection of local taxes on 9-1-1 services, both wireline and wireless. The recent study by the Virginia Crime Commission indicated a concern about the level of the local caps on the 9-1-1 tax as possible being too high in some instances. The study further indicated a concern that taxes being collected to support and develop 9-1-1 services in some jurisdictions in the Commonwealth were not being utilized for the purposes collected. Recognizing that there is some level of economic impact on raising minimum training standards for dispatchers, it is noted that the funding mechanism to support this is already in place. The sufficiency of the level of funding and distribution of funding will be an issue for local jurisdictions to address.

Fiscal Impact

Please identify the anticipated fiscal impacts and at a minimum include: (a) the projected cost to the state to implement and enforce the proposed regulation, including (i) fund source / fund detail, (ii) budget activity with a cross-reference to program and subprogram, and (iii) a delineation of one-time versus on-going expenditures; (b) the projected cost of the regulation on localities; (c) a description of the individuals, businesses or other entities that are likely to be affected by the regulation; (d) the agency's

best estimate of the number of such entities that will be affected; and e) the projected cost of the regulation for affected individuals, businesses, or other entities.

Under the current training delivery system, it is difficult to ascertain the level of fiscal impact the proposed changes will have. The cost of training at the various academies differs due to use of a decentralized system for delivery of training in the Commonwealth. An increase in minimum training hours is proposed, primarily due to the fact that the current forty (40) hour basic class is inadequate to minimally train a dispatcher. The increase in hours is divided between academy training and on-the-job training because the differences in equipment and technology used by varying jurisdictions require this. While the rules provide for the minimum number of hours which must be provided, the certified academies providing the training may exceed the minimum number of hours based upon their perceived needs. The net economic impact of this increase will not be known until the academies have had time to compare the proposed training objectives to what is currently taught at the respective academies. However, over \$2.6 million in state funds was provided to the ten (10) regional academies in 1999 to assist in all training programs provided by the academies.

The estimated number of persons affected annually by the Regulations Relating to Entry-Level Dispatcher Training on a direct basis is approximately 500 individuals attending training and approximately 50 faculty for the delivery of training. The actual number of graduates of basic dispatcher training in 1999 was 491. The results of the training, however, impact every person in the Commonwealth in terms of public safety, health, and welfare.

Detail of Changes

Please detail any changes, other than strictly editorial changes, that are being proposed. Please detail new substantive provisions, all substantive changes to existing sections, or both where appropriate. This statement should provide a section-by-section description - or cross-walk - of changes implemented by the proposed regulatory action. Where applicable, include citations to the specific sections of an existing regulation being amended and explain the consequences of the proposed changes.

6 VAC 20-10-20 through 6 VAC 20-90-20 regarding the RULES RELATING TO COMPULSORY MINIMUM TRAINING STANDARDS FOR DISPATCHERS is attached. The current regulations that are to be amended are shown with a strike-through and new wording is shown with an underline.

Alternatives

Please describe the specific alternatives to the proposal considered and the rationale used by the agency to select the least burdensome or intrusive alternative that meets the essential purpose of the action.

The current system for change requires an extensive and expensive process to update training standards. The proposed rules provide for a method to make changes to the training standards through a less burdensome process which will permit on-going review and update of training for dispatchers.

The proposed changes to the training objectives are based on an updated job task analysis and the work of committees of emergency communications professionals that took nearly two years to accomplish. The changes being proposed will provide a method to permit review and update of specific areas of the job of dispatcher on a regular basis, i.e., communication skills, judgment, professionalism, equipment usage etc., and to respond to a need to modify such an area on an individual basis. It will not be necessary to review the entire job in order to make changes to one area. This will result in more timely, less costly, and more effective response to training challenges for entry-level dispatching. Draft amendments were mailed to all affected and interested parties for review and comment as part of the agency's public participation guidelines. Comments were received and modifications made as deemed appropriate by the Dispatcher Job Task Analysis Advisory Committee. These modifications are incorporated into the proposed rules and minimum standards.

Since the training delivery system in Virginia has been decentralized for over twenty years, the current method of training and the current training delivery system have been selected as the most reasonable alternative in order to assure minimum competency for dispatchers on a state-wide level. It would require a major reorganization of the current decentralized system for delivery of training to develop an alternative method.

Public Comment

Please summarize all public comment received during the NOIRA comment period and provide the agency response.

Summary of Comments Received Regarding the NOIRA Announcement for the Rules Relating to Compulsory Minimum Training Standards for Dispatchers

Suggestion made to incorporate ride-alongs with emergency services personnel and to use simulations in training for dispatchers. Response: This suggestion does not directly impact the rules but will be incorporated as part of the sample lesson plans for instructor use.

Suggestion made to incorporate in basic training dementia/Alzheimer's information, working with biological/chemical attack, understanding suicide by COP and Cop suicide, and introductory Spanish. Response: This suggestion does not directly impact the rules but the first three items are incorporated into the sample lesson plans. The learning of additional languages is encouraged as an individual effort but is beyond the scope of basic training.

Suggestion made to increase the time required to complete basic training from 12 to 18 months; to eliminate legal training and call type training; to eliminate interpersonal communications training. Response: Completion of basic training within twelve months is a minimal requirement

to assure that personnel working in any aspect of public safety services have a minimum level of competency. Therefore, this requirement will remain at twelve months. Minimum standards for training dispatchers must enable a person to perform the duties of the job competently with professional and appropriate interpersonal skills. This training remains part of the basic course.

Suggestion made to expand the definition of "Director" in the Rules to include the chief administrative officer of a department. Response: This definition relates to the Director of the Department of Criminal Justice Services. The definition of "agency head" incorporates the chief administrative personnel at various agencies.

Suggestions made to incorporate items that are related to job descriptions and some related to training topics. The training topics focused on communications skills, interpersonal relations, legal knowledge, and stress management. Response: The suggestions made related to job descriptions are not within the purview of regulations set by this agency. The suggestions related to training topics have been addressed in the revised standards.

Clarity of the Regulation

Please provide a statement indicating that the agency, through examination of the regulation and relevant public comments, has determined that the regulation is clearly written and easily understandable by the individuals and entities affected.

The agency has examined the regulation and relevant public comments. The ability of the public to comment on a point-by-point basis related to the content of the regulation affirms the clarity and comprehensibility of the regulation.

Periodic Review

Please supply a schedule setting forth when the agency will initiate a review and re-evaluation to determine if the regulation should be continued, amended, or terminated. The specific and measurable regulatory goals should be outlined with this schedule. The review shall take place no later than three years after the proposed regulation is expected to be effective.

A revision of these Rules provides for an annual review of the regulations and standards by a Standing Curriculum Review Committee. Suggestions for any amendments to the regulations or modifications to the standards will move forward in a more timely and less costly manner because of this.

Family Impact Statement

Please provide an analysis of the proposed regulatory action that assesses the potential impact on the institution of the family and family stability including the extent to which the regulatory action will: 1) strengthen or erode the authority and rights of parents in the education, nurturing, and supervision of their children; 2) encourage or discourage economic self-sufficiency, self-pride, and the assumption of

responsibility for oneself, one's spouse, and one's children and/or elderly parents; 3) strengthen or erode the marital commitment; and 4) increase or decrease disposable family income.

The proposed amendments indirectly impact the family and family stability in terms of the assurance of competent resources to provide emergency assistance should any family member be in need of these. Charges for emergency services are determined by localities, but many localities provide these services without charge.